

Record of individual Cabinet member decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	David Turner
Key decision?	No
Date of decision (same as date form signed)	27/1/20
Name and job title of officer requesting the decision	Paul Howden Revenues and Benefits Manager
Officer contact details	Tel: 01235 422484 Email: Paul.howden@southandvale.gov.uk
Decision	<p>That care leavers* are approved as a class of discount for the purpose of Section 13A(1)(c) of The Local Government Finance Act 1992 from 1 April 2020 (as referred to in the "reasons for decision" narrative below).</p> <p><i>* A care leaver is defined as anyone under the age of 25 years who has been in the care of the local authority for a minimum of 13 weeks between the age of 14 and 18 years. The 13 weeks <u>must</u> include either the 16th birthday or time during their 16th and 17th year. Whilst 'in care' they may be accommodated in foster care, residential care, supported housing or secure provision.</i></p>
Reasons for decision	<p>Oxfordshire councils have agreed a class of discount for care leavers for the purpose of Section 13A(1)(c) of The Local Government Finance Act 1992 from 1st April 2020 onwards.</p> <p>Billing authorities have discretion under Section 13A(1)(c) of the Local Government Finance Act 1992 to reduce the amount of council tax payable for individuals, or for classes of council taxpayer. This includes the power to reduce the amount payable to nil. A care leaver discount will ensure that the liability for council tax payments is reduced to nil for care leavers between the ages of 18-21.</p> <p>Further arrangements to award a Section 13A discount to care leavers will be made on a case-by-case basis from the age of 21 up to the age of 25, up to a maximum award of 100% supported by a written statement by Oxfordshire County Council's Leaving Care Team.</p> <p>The proposed scheme will have eligibility criteria which will need to be fulfilled before any discount is awarded under this class of discount and, all other statutory discounts and council tax support will be applied as a pre-requisite to</p>

	<p>applying a 13A.</p> <p>There will be an appeals process should any discount be refused, which can ultimately be heard by a Valuation Tribunal.</p>
Alternative options rejected	<p>No alternative options have been considered as the Government made recommendations in its Care Leavers Strategy “Keep on Caring” published in July 2016, that local authorities should consider exempting care leavers from council tax, using their existing discretionary powers under Section 13A of The Local Government Finance Act 1992. Like several authorities up and down the country who have implemented such arrangements (including Oxfordshire’s neighbouring authorities in Gloucestershire) Oxfordshire’s district councils (billing authorities) and Oxfordshire County Council, have worked together to agree a common council tax discount scheme for care leavers from April 2020.</p>
Legal implications	<p>As explained above, billing authorities have discretion under Section 13A(1)(c) of the Local Government Finance Act 1992 to reduce the amount of council tax payable for classes of council taxpayer South Oxfordshire District Council along with other Oxfordshire authorities wishes to exercise this discretion for care leavers.</p>
Financial implications	<p>Currently any Section 13A discounts are funded fully by the billing authority. Under this scheme it is proposed that the three major preceptors accept liability for their share of the discount, in proportion to their precept percentage. The district councils will be responsible for recovering the relevant share from the County Council and the Police and Crime Commissioner individually and all parties will sign a joint Memorandum of Understanding (MOU) stating the joint commitment to the proposed scheme.</p> <p>During the current financial year, South undertook an exercise to maximise the statutory discounts and council tax support of the seven care leavers in its district who were eligible to pay council tax. After applying these it was estimated that the cost to South of applying an additional care leavers discount for 2019/20 would have been around £280.</p> <p>The number of care leavers eligible for a reduction under 13A could go up or down. However, the financial implications will be insignificant due to the funding arrangements agreed between the three major precepting authorities.</p>

Other implications	From an equalities perspective, by its nature, the proposed policy addresses the disadvantage already existing to care leavers as identified by the Government in its Care Leavers Strategy "Keep on Caring" published in July 2016			
Background papers considered	None			
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?				
List consultees		Name	Outcome	Date
	Ward councillors	N/A		
	Legal	Ian Price	Agreed	23 Jan 2020
	Finance	Kathy Merritt	Agreed	23 Jan 2020
	Human resources	N/A		
	Sustainability	N/A		
	Diversity and equality	Yvonne Cutler-Greaves	Agreed	24 Jan 2020
	Communications	Gavin Walton	Agreed	24 Jan 2020
	Senior Management Team	Andrew Down	Agreed	24 Jan 2020
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?				
Has this been discussed by Cabinet members?	Yes			
Cabinet portfolio holder's signature To confirm the decision as set out in this notice.	Signature _____ Date <u>27/1/20</u>			

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.

For Democratic Services office use only		
Form received	Date: 30-1-20	Time: 15:00
Date published to all	Date: 30-1-20	

councillors		
Call-in deadline	Date: NOT APPLICABLE	Time: —